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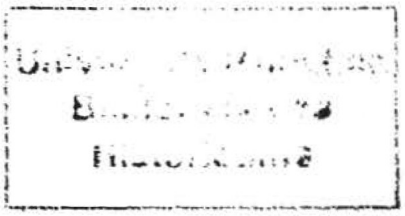

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Martin H. Geyer

The Barmat-Kutisker scandal and the simultaneity of the non-simultaneous in the political culture of the Weimar Republic

I. Introduction

On New Year's Eve 1925, Julius Barmat arrested on suspicion of fraud and bribery, followed in the days that followed by his three brothers, stateless Ukrainian Russians residing in Amsterdam, Berlin and Vienna, as well as managers of the Barmal Group and officials of the Prussian Seehandel, i.e. the state bank. A large contingent of 100 Berlin police officers, including the water police, searched the Berlin headquarters, Julius Barmat's luxurious home on the Havel peninsula of Schwanenwerder and the brothers' Berlin apartments and confiscated documents. Even the border police were alerted, as it was suspected that the people could evade arrest by fleeing.[1]

For informed newspaper readers, the events did not come as a complete surprise. A few days earlier, on December 27, the "Berliner Lokal-Anzei ger" had already reported that a "sensational arrest" was imminent, but this had been denied by the official Prussian press office.2 Investigations into the case of Ivan Kutisker, an *Eastern Jew* from Lithuania, himself a bank owner and entrepreneur, had brought the investigation into Barmat, in a strange chain of events the newspapers soon reported on in detail. For at first

[1] "Berliner Tageblatt-- No. 619 of December 31, 1924 (,,Der Leiter des Bannat-Kon zems verhaftet"); ibid. No. 2 of January 2, 1925 ("New arrests in the Bannat affair"); "Neue Preußische (Kreuz-)Zeitung" No. 2 of February 2, 1925 ("The Bar mat scandal"); on the course of events and preparations, cf. the memo for the Chief, Dept. IV, gez. Weiss. April 30, 1925, in: Geheimes Staatsarchiv Preußi.scher Kul turbesitz, Berlin (GSlA PK), I HA Rcp. 84a, No. 56542, BI. 100.

[2] Compilation of press releases. in: GStA PK, I HA Rcp. 84a, No. 56542. BI. 24.

Kutisker had reported a former business partner for extortion and fraud, who in turn reported Uber to the public prosecutor's office.

sneaked millions in loans. The arrest of Ivan Kutisker and his son in November gave rise to rumors in the press about *irregularities* in the granting of loans in the state. "How must it stink?

- ken", says the-,,Rote Fahne- with reference to other newspaper reports that

Friedrich Ebert jr. had resigned from the Barmat Group at the "request of Mr. Papa' _ ', the President of the Reich.[3] Senior officials of the Seehandlung supported the investigating young court assessor I?r, Kußmann, in his opinion that in Kutisker's case was only the tip of the iceberg, that millions in loans irretrievably lost, and worse still, that the creditworthiness of the bank was at stake. The charges brought by the public prosecutor

the extension of the investigation to Bannat received the backing of the Prussian Ministry of Justice and the Ministry of Finance, even though the

warned against overdramatizing the financial situation of the State Bank.

But it was clear to the public prosecutor's office that action had to taken.

- Ge(f **u4**

" delay .

Before these events, the names Kutisker and Barmat were only known to a few people.

people familiar with. This also applied to the industrial conglomerate

of the Barmats, the Amexima, which an author in his review of the old and

of new wealth in Germany - "probably one of the most forward-looking of its kind"

[5] Overnight, the names were thrust into the spotlight of local and national attention.

Regional newspapers: 'funny papers such as "Kladderadatsch" and "Simpli dssimus" translated the events easily understandable visual language. In the first few days and weeks, *the* reports came thick and fast

and rumors> readers might not only the impression that the Preußische Seehandlung was on the verge of bankruptcy, but also that leading SPD politicians had been bribed by *East German* Jews.

Panama scandal in the French Republic in the early 1890s, when bribed members of parliament paid taxpayers' money to the private canal construction company.

had approved, there was 'talk of a *Panama* of the Weimar Repu blilc: Panama; that was the diction of the contemporaries of the worst case of economically-motivated political corruption.[6] Back-

Rote Fahne" No. 171 of December 2, 1924 ("Fritz Ebert from the Barmat Concem

resigned"); ibid. no. 172 of December 3, 1924 ("The Barmat Socialists have confessed to the

[4] -- On the discussion in the Ministry of Justice at the end of December 1924, cf. the report of

April 28, 1925, in:GStA PK. I HA Rep. 84a, No. 56541, BI. 14/1 Telephone message

Jung des Get1eralstaatsanwalts beim Kammergericht, Huber April 28, 1925, in: ibid,

Bl.14/3.

[6] rnst Nec ulm_er. The old and the new wealth, Berlin 1925. p. 188.

B.osch. Krupp's Kornwalzer. Forms and perceptions of corruption

Kaiserreich, m: HZ 270 (2005), pp. 337-379, esp. pp. 361-367.

Looking back, critical observers of the events in the first half of 1925 spoke of a spreading, politically deliberately fueled anti-Semitic "Barmat psychosis".7

The Barmat-Kutisker scandal was the most spectacular case of its kind in the Weimar Republic, although the so-called Sklarek scandal of 1929, which concerned the awarding of contracts by the Berlin city administration, far more attention in the literature.[8] As be shown, the explosive nature of the events in 1925 was that the political opposition, above all the DNVP and the KPD, were able to link and scandalize several major political, economic and social issues at the same time. The logic of scandalization therefore first be sought in democratic party competition. Furthermore, this scandal was also a major media event, which developed its own dynamic and part of a culture of sensationalism in the Weimar Republic. It is argued that scandals have their own temporal structure. They take the form of *political theater* and have their own sceni

IO Of particular interest in this context, however, is the moment of *simultaneity* that scandals, like other comparable media events, are able to generate) [1] It denotes the inescapable

7. Verhandlungen des Preußischen Landtags, 2. Wahlperiode, 1. Tagung 1925, Anlagen Bd. 7," Drucksache Nr. 1480 (Niederschrift der 52. [letzten] Sitzung des Untersu chungsausschusses 16. Ausschuss) zur Untersuchung der Kreditgewährung der preußi-

see State Bank to foreign groups), p. 2973.

8 is no comprehensive account of the Barmat-Kutisker scandal. In addition to a number of older accounts, such as that by Erich Eyck: Geschichte der Weimarer Re publik, 2 vols., Erlenbach et al. 1956, vol. l, pp. 432-436; cf. esp. Stephan Malinowski: Politische Skandale als Zerrspiegel der Demokratie. The Bannat and Sklarek cases in the calendar of the Weimar Right, in: Jahrbuch für Antisemitismusforschung *5* (1996), pp. 46-65; very cursory are the references in Cordu]a Ludwig: Korruption und Na tionalsozialismus in Berlin 1924-1934, Frankfurt a.M. 1998, pp. 66-80. On the Sikla relc case, see below.

9_On the role of media John B. Thompson: PoJitical ScandaJ. Power and Visibility in the Media Age, Cambridge 2000; Eve Rosenhaft: Lesewut, Kinosucht, Radiotismus:

On the (gender) political relevance of new mass media in the l , in:

Alf Lüdlke et al (eds.): Americanization. Dream and nightmare in the Germany of the 20. Jahrhunderts, Stuttgart 1996, pp. 119-143; Bernhard Fulda: Die Politik der "Unpoli tischen". Boulevard and mass press in the twenties and thirties, in: Frank Bösch/Norbert Frei (eds.): Medialization and Democracy in the 20th Century, Göttingen 2006, pp. 48-72; Bernhard Fulda: lndustries of Sensationalism. German ta

bloid in Weimar Berlin, in: Karl-Christian Führer/Corey Ross (eds.): Mass Me<lia, Culture and Society in Twentieth Century Germany, Manchester 2006, pp. 183-203.

10 Dirk Käsler: Otr Skandal als politisches Theater, in: ders. u.a. (ed.): Der politische Scandal. On the symbolic and dramaturgical quality of politics, Opladen 1991, S. 9-68.

11 These considerations are on Martin H. Geyer: "The simultaneity of the un

--Here and now political communication in a joint communica
:-.tion space-in which political, social, ethical-moral and also sexual
The topics are negotiated and no one escape them.

-.1ri1 On the contrary, we need take a stand. The Barmat-Kutisker scandal is a good *of how* in this moment of media-generated simultaneity
-_Crass ideological and ideological differences, i.e. coristellations
The *simultaneity of the non-simultaneous*. Of interest
. are the associated. interpretations, or claims to
:-oeiitungspolieit in'the.society-un politics of the Weimar Republic, more
but the successive development of a retrievable narrative of the deca
• dency of democratic republics. This narrative had its classic
....Documents l2 The parliamentary struggle had the issue of corruption on the agenda of political debates since the *19th* century.13 The '...still karui mm ani example of the Bannat-Kutisker scandal to a certain extent in
-:statascendi:the development of a specific, henceforth retrievable .
, narrative of radical criticism of democracy in connection with anti-Semitism.
• bacbten. It is true that the Weimar Republic had already close to
The death knell was sounded in 1932'33. Despite all the fundamental criticism of the politi
. At the same time, however, it is important to emphasize the successful overcoming of the crisis caused by the scruidal crisis.
. The judicial proceedings , albeit in some respects
• dubious, triumph of constitutional procedures and practices, which
. We many contemporary
false security and certainty:

The scandal as a political media event--

-::After the arrest of Julius Barmat and after the rumors about the
The extent of irregularities in the granting of loans by Seehandlung was reported in the press. The public prosecutor's office was visibly investigating one of the biggest cases of fraud and corruption in recent times.
on the track, which always seemed to draw weathery circles: The seeping

. Information on the economic damage [1] provided ample material for speculation - not only the Prussian sea trade, but also the giro

• – e of the. eichspo t; the Oldenburgische Staatsbank, the Brandenbw-gische

_\\/.;.::-r :-.:.t.':/\:.:y_-};_:_:-;i/..t, :.,:';,,:-,::-\-:.-:/::. _;./:_:: :--.--- ;,_-.:::-..::--:- >: . .

• .- :gl?ic itigen"; 2.eitsemantik und die Sche nach Gegenwart in der Weimar r Repu

:. .:--. bl , m: Wo_lfgan Hardtwig (ed.): Utopie und politische Herrschaft

1 im Europa der twtschenkriegsze1;München2005,p.75 100.>-::.,.::,::,.-,_,. ,_,. ,. . . . . .. -

.. ,.:: . lfgang SchuUer (ed.):-Korruption im Altertum, Konstanzer Symposium 1979,- '.i;---. nchen I98LL.],!i(\':..>-:,i');;.J\:,-/ .;;-<-- 'r.-T:-.-, -:::. -.:... -..,.'. .,. ,: ... ,, . .

• :.-.-. - osch-, Krupp's Kofl?Walzer (see note 6); ders.: Politische Skandale in Deutschland

•:i ..:.u oßb ien,in:APuZ (2006),pp.25-32.,. -_. _.,, - -... -,-..-.-:",,:.-

<--: i_:-.{.t_,\-.:::.:;:.- i <--}:/ _ _:;-,,:_...;:"/:..:'i:::'-:' : --- ' .-- ,_. .: -.. -. -. -

Girozentrale and BrandenburgischeStadtschaft had lost millions in loans. There were all kinds of assumptions about the amount. How it then emerged that the Barmat concern alone had held loans worth around 36 million gold marks from December 1923 to the summer of 1924, of which, after the collapse of the concern immediately after the sale of the liability of Julius Bannat only between one fifth and one third by tangible assets are covered. The Kutiskers company had largely un 14.5 million with the State Bank alone.

getUnnt.[14] In the Preußische Seehandlung,.SO de-ra11enthalben zu hörben

Kalauer, it stinks of *dead fish,* indeed in the *Barmat swamp* you can only move - with a Ga.sinaske (see Figure 1): -

- The amount of money negotiated is reminiscent of the recent inflationary period. Here, however, it was about *hard gold marks.* Inflation had been successfully ended in the winter of 1923/24 thanks to the stabilization of the currency. This was not without painful cuts, especially in area of public services; in addition, the number of unemployed and jobs skyrocketed. How was it possible, according to another topos, that *people* who *had run away* from *home* easily identifiable as Jews in the caricature of the "Kladderadatsch", received millions in loans from public authorities at extremely low interest rates, while ordinary tradesmen, craftsmen and farmers paid exorbitant interest rates of up to 25 percent (whereby the Barmaf company was also able to make a profit through short-term money lending)? In the winter of 1923n4, companies and government agencies had justified mass layoffs with the credit crunch and with the argument .in_ent justification; there was no money in the public ; far-reaching demands for the *revaluation* of assets that had been lost through inflation were also rejected.

The KPD had placed this social and political protest at the center of its election campaigns in 1924 with regard to unemployment, and the DNVP with regard to the middle classes.[15] *The* banks' lending madeto personalize the apportionment of blame, with the different cases of Barmat and Kutisker mutually reinforcing each other_I6:-On the one hand_the case of Kutisker:,whose business_more

[14] Exact figures are not available; the figures for Barmat are from the reception center.

becken, see The Attorney General at the Court of Appeal, May 4, 1925 to the Prussian Minister of Justice, in: GStA PK. I HA Rep. 84a, No. 56542 BI. 216.

[15] For a summarizing account, see Gerald D. Feldman: Tue Great

Disorder.

Politics, Economics, and Society in the German Inflation, 1914-1924, New York/Ox ford 1993, ch. 17.

16 In fact, in addition to the Kutisker and Barmat cases, the case of Jakob Michael and a whole series of similar cases made the public and, in passing, the Prussian Committee of Inquiry. Michael had worked with Kre-

• The two protagonists were involved in a scandal in which the two protagonists became often overdrawn abstract political and social projection surfaces for anger, hatred and indignation as well as for ridicule. Both were interwoven into *the scandal*, in which the two protagonists became a frequently overdrawn, abstract political and social projection surface for anger, hatred and indignation as well as for mockery and schadenfreude (Figure 2).

The press - above all the "Berliner Lokal-Anzeiger" and the "Berliner Börs_en-:Couriet" - pursued their own strategies. Sensational reports promised to promote the 2.eitungsverkauf. The editorial offices of the 2.eitungs draw on knowledge and information about individual persons and contexts like nowhere else, not least thanks to many formal and informal contacts to political circles and the office staff. Press reports were grist to the mill of the political opposition, which had launched these reports in the first place. This rise to a fierce press war that was fought on the political fronts of the Weimar Republic. At the same time, a small-scale war for the latest information developed was exciting for readers and took on the features of a detective novel. According to an internal report, the *reporters* were extremely resourceful: They

"know every one of the few officials entrusted with these criminal cases, every official car provided by the police, every official building in question, [...] the corridors of the criminal court, especially in front of your lawyer's room there[ ]"; from file transports so

The press office was bitterly complaining that it was at a disadvantage compared to an "illegitimate, fast-working press service", because in such an affair, the press office had to rely on information from private correspondence offices. The press office bitterly that it was a disadvantage compared to "illegitimate, fast-moving reporting"; because in such an "affair, in which the wildest rumors and new versions are constantly being passed on to the editors and we receive inquiries by telephone", it was necessary to

dit transactions in 1923/24, and one of the questions was whether he could be prosecuted for *usury*. This case was quite different from the Barmat and Kutisker cases in that Michael sold property at the right time and relied on the stabilization of the mark, see also Neckarsulmer, Reichtum (see note 5), p. 146; Ludwig, Korruption (see note 8), p. 76, misses the point, but traces the life of this ingenious speculator.

17 The Attorney General at the Regional Court I, to the Minister of Justice through the Attorney General at the Court of Appeal, February 23, 1925, in: GStA PK, I HA
Rep. 84a, no. 56542, B1. 31-37.

Working "blow by blow" if you didn't want to be at a disadvantage.t8 Having to remain silent could also be embarrassing, for example when at a press conference in March it was still not possible to say what specific offenses the Barmat accused of.[19] However, silence could also be interpreted as complicity with the Barmats, as when the "Berliner Börsen-Courier" claimed that the official press service had tried to control of reporting on the Barmat affair.20 the outset, this battle for information centered on the question of whether were perhaps indiscretions within the judicial apparatus itself, which could explain the information advantage of individual newspapers. Internally, they wanted to rule this out, as everyone involved in the case had been "sworn to the strictest secrecy[ ]".
This included officials using "cover notes" during telephone conversations.21

-. - This sensationalist press campaign put the opposition in a position to raise its voice and put its political agendas on the agenda. This had already been the case before the war under different circumstances, when sexual misconduct involving the Kaiser and officials in the colonies or the disreputable entanglements of interests between Krupp and

.state authorities had been addressed by the opposition - the Social Democrats in particular had stood out - in the press and in the Reichstag.[22] In the Republic, the fronts were reversed. Representatives of the opposition KPD and DNVP, but also of smaller parties, including nationalist groups, formulated demands for *clarification* and *personal consequences* in a series of opinion articles and small questions. Parliamentary committees of inquiry of the Prussian state parliament and the Reichstag were to light on the matter.[23] In these symbolic battles for power and interpretation, the Social Democrats in were now the favorites: They were regarded as *Barmatids* and as representatives of the *Bannat bloc.*Indiscriminately -the German national press attacked "all personalities it hated or found uncomfortable as slaves of the Barmat mammon or as friends of the Bar-

18 Official Prussian Press Service, from Goslar to the Minister of Justice2. February 1925.
:. in: GStA PK. I HA Rep. 84a, No. 56541. BI. 22-24.
19 Press Office of the Prussian State Ministry, Scherek, to Ministerialrat Dr. Kuhnt.
March 25, 1925, in: GStA PK, I HA Rep. 84a, No. 56542, p. 98.
20 GStA PK, 1 HA Rep. 84a, No. 56541, BI. 178 ("In eigene Sache").
21 Official Prussian Press Service, from Goslar to the Minister of Justice February 2, 1925. in: GStA PK, I HA Rep. 84a, No. 56541. BI. 31-37.

22 Bösch, Krupp's Kornwalzer (see note 6); Martin Kohlrausch: Der Monarch im Skandal. Die Logik der Massenmedien und eile Transfonnation der wilhelminischen Monar- chie, Berlin 2005.

23 Cf. Winfried Steffani: The investigative committees of the Prussian state parliament zur Z.Cit der Weimarer Republik, Düsseldorf 1960, pp. 167-186.

mats'', commented the left-liberal 'Berliner Tageblatt'.[24] The KPD could easily hold a candle to the DNVP.

Differentiated arguments were not very opportune. In the past The DNVP and KPD had made considerable electoral gains in the state elections in December, while the Reichstag elections had brought losses. After the elections was before the elections. The Reich presidential elections were originally scheduled for May 1925, but had to be brought forward following the death of Friedrich Ebert at the end of February. The upcoming election campaign was an important reason for the parties' efforts to raise their profiles. Of even greater importance were issues relating to the possible formation of a citizens' bloc government excluding the SPD. Hans Luther's government in the Reich had an advantage, albeit for the DNVP

not necessarily entirely satisfactory start. In Prussia, the

The future of the coalition has been uncertain since the December elections, after the German People's Party (DVP) rejected a *Weimar coalition* of SPD. Center and Democrats. Initiatives by the two major opposition parties in the Prussian committee of inquiry had their counterpart in the publicly staged motions of censure with which the KPD and DNVP sought to oust the self-confident and power-conscious Minister President Otto Braun (SPD) office. In the first months 1925, Prussian government and parliamentary politics were at times plunged into chaos.[25]

This political vacuum created the best conditions for the scandal to unfold. -

The DNVP had already campaigned in the previous elections with agitation against *Eastern Jews* and their supposed influence on political and, above all, economic life, also with the intention of cutting off the radicals of the national right. In the agrarian press in particular, Barmat and Kutisker were symbols of an "exploitative and violent 'Jewish financial capitalism'".[26]

Since the inflationary period, there had been an established image in this environment, not least in the satirical magazines.

[24] "Berliner Tageblatt" No. 16 of January 10, 1925 ("Die Barmat-Affäre"); see also Karl Radek; Die Barmat-Sozialdemokratie, Berlin 1925; Bannat und seine Partei, Ber lin 1925; Hans Schlange-Schöningen: Preußeogeist against Barmatgeist Landtagsrede on February 19, 1925, Berlin 1925.

[25] For the following, see also Hagen Schulze: Otto Braun oder Preußens demokratische Mission. Eine Biographie, Frankfurt a.M. u.a. 1977, esp. pp. 447-487; Heinrich Au- gust Wmkler: Der Schein der NormaliäL Arbeiter und Arbeiterbewegung in der Wei- marer Republik 1924 bis 1930, Berlin/Bonn 1985, pp. 222-234.

[26] Trude Maurer: Ostjuden in Deutschland 1918-1933, Hamburg 1986, esp. pp. 436-507; Heinz Reif: Antisemitismus in den

Agrarverbänden Nordostdeutschlands während der Weimarer Republik. in: ders. (ed.); Ostelbische Agrargesellschaft i.n Kaiserreich und

- Republic. Agrarian crisis, junker interest politics, modernization strategies, Berlin 1993, pp. 379-415, especially pp. 403-409.

image repertoire that identified the "war and inflation profiteer" with Eastern Jewish stereotypes.[27] In Berlin, where little more than a year ago, in the final phase of inflation in November 1923, pogrom-like riots against Jews in the winter of 1924/25 in connection *with* dem-Skanda-l, an anti-Semitic "pogrom atmosphere" is the public forehead.

mung.[28] How were Jews like Bannat and Kutisker able to come to Germany? How did they establish connections with the Reich authorities, and how did they get to

Public sector loans? The political responsibility for their border crossing to Germany and the granting of (permanent) visas and residence permits came to the fore. The vehemence,

with which these topics were treated is not easy to understand at first glance.

understandable. After all, neither of them was an unknown and penniless stranger.

temehmer. Kutisker had worked in Lithuania with, among others, former German

and came to Germany as a wealthy entrepreneur.

Jand. The same applies to Julius Barmat, who had already emigrated from Russia via Poland to Holland before the war and ran a successful business in Amsterdam. successful business in Amsterdam. During the war, he had fought Germany's

against Russia, and it was anything but clear whether the German Reich at that time and then, in view of the extremely critical food situation in 1919, not at least equally dependent on Barmat's supplies?

The discourse on *Eastern Jews* had no room for such considerations. This illustrates

The cartoon published by the "Rote Fahne" under the title "Aus der Werkstatt der

Barmat Party" February 1925. In it, the "Oberschieber Barmat' into the German Republic's "shifter's paradise", where, with the help of his SPD friends' - plundered the state bank and took advantage of inflation in Berlin.

time amused. Conservative members of parliament regularly took the same line.

and many contemporary commentators.[29]

The other part of the story was about the rise of the *Eastern Jews* in various parts of the world.

The fact that the social democrats are not a part of this. The fact that

The staunch socialist Julius Barmat not only promoted German socialist newspapers, but also temporarily headed the office

of the Second Socialist Party in Berlin.

. International in -his office building in Amsterdam, was

[27] Martin H. Geyer. Revolution, Inflation and Modeme: Munich 1914-1924, MUnchen 1999, ch. 8;ders.: Die Sprache des Rechts.die Sprache des Antisemi-tism: Usury" and social order in the German Empire and the Weima rer Republik, in: Christof Dipper et al. (eds.): Europäische Sozialgeschichte. Festive schrift für Wolfgang Schieder, Berlin 2000, p. 413--429.

[28] Victor Schiff: Die Höfle-Tragödie.Geschichte eines Justizmordes, Berlin 1925,p. 7.14, 88; summarizing the events of 1923Dirk Walter: AntisemitischeKriminalität und Gewalt Judenfeindschaft in der Weimarer Republik, Bonn 1999, pp. 151-155.

[29] "Rote Fahne" No. 45 of February 22, 1925.

Water on the mill of all possible suspicions. his death, Reich President Friedrich Ebert was in the line of fire of the criticism, whose role in the granting of visas was just as important as the question of whether Julius Barmat had made telephone calls from the presidential chancellery and used an engraved portrait of Ebert to promote his business. The calculation behind this could not be overlooked. Once again, the republic was in his sights. It was also about *selling out* German interests to foreign countries. The suspicion of corruption also added to the accusation of treason, which the conservatives and the radical right had extensively raised against the Reich President in connection with the Magdeburg trial.3° The climax would undoubtedly have a statement by Ebert in the Reichstag committee, but this was averted.31. - :- . /-.-. . -;,. -:. , . -- --- r -

Other leading Social Democrats were also in the dock, including the powerful SPD parliamentary group leader in the Prussian state parliament Ernst Heilmann, the Berlin police commissioner Wilhelm Richter and the former chancellor Gustav Bauer, who maintained close personal and business contacts with Bar mat. The trail followed by the press and the Prussian Committee of Inquiry led via Richter to the Berlin Housing Office, and via Bauer's letters of recommendation for Barmat to the State Bank. Because of the

The former metalworker Richter tearfully reported to the committee that he had not only received a letter of thanks from his friend, but that he had also received a letter of support from his friend.

He also received a tuxedo, pyjamas, a hat, cufflinks, a lighter, cigars and cigar holders, trips to Holland and Vienna and free meals at the Bristol Hotel over an extended period of time. The picture was rounded off by the revelation of a relationship between Richter, Heilmann and Barmat with an Austrian dancer, the "Madame de Pompadour" of the "Bannat circle", as was reported in some newspapers.[33] When Heilmann entered the speaker's platform of the state parliament on January 20, he was met with insults such as "Barmat pusher, head

30 Walter Mühlhausen: Friedrich Ebert 1871-1925. Reichspräsident der Weimarer Repu- blik. Bonn 2006, pp. 936-966. .. -

31 The initiative for a summons with an explicit reference to the Magdeburg trial came from the deputy Arthur Rosenberg (KPD); in his place

• State Secretary Otto Meissner was summoned, see 2nd session (January 22, 1925) p. 8 and 8th session {February 19, 1925), p. 2 of Reichstag Investigation Committee Credit Committee, in: GStA PK, I HA Rep 84a, No. 56557.

32 Karlludwig Rintelen: An undemocratic democrat: Gustav Bauer:

Gewerkschafts
führer- Freund Friedrich Eberts-Reichskanzler.eine politische Biographie, Frankfurt a.M. 1993, *pp.* 244-246.

33 Vg1. e.g., "Bergisch-Märkische Zeitung" of July 8, 1925 ("Aus dem Barmal-Sumpf.
Nervous breakdown and confession by the judge") Cf. also note 29.

"Sliders, labor traitors!", and when he was able to take the floor after an interruption of the meeting, the parliamentary groups of the DNVP and the Deutschvölkische demonstratively left the meeting room.34

Confessions in tears, insults, public accusations, that's what it was all about. are performative acts entirely in the sense of the media. Such demonstrations of the Weakness and strength are what make political theater so appealing. Most The best in this field were to be found in the public prosecutor's office of all places. The two assessors Dr. Kußmann and Dr. Caspary in particular knew how to put themselves in the limelight and visibly enjoyed the press hype they caused with their speculative actions. These included highly publicized arrest of the heavily incriminated Reich Post Minister Dr. Anton Höfle of the Zentrumsp i._ When he succumbed to a heart condition as a result of the stress, and this in custody in Moabit of all places, it was the cause of many Geriich_teG: it a suicide? It was the circumstances surrounding Höfte's death were themselves a potential judicial scandal (as was the death of the seriously ill defendant Ivan Kutisker later on). The Prussian cabinet had a cell in Moabit for parliamentary group meetings. Simplicissimus" in a caricature, in which the "Simplicissimus tellingly, the facial features of parliamentary group chairman Heilmann with stereotypical anti-Semitic characteristics were sharply exaggerated (see Figure 3). 3S

--One of the spectacular (and for the further investigation momentous) perfor mative files of the public prosecutor's office was the chartering of an airplane, about the well-known Berlin lawyer Kutiskers, Johannes Werthauer, in Dresden, only to discover that the lawyer his son had formed already on his way to Berlin by train, where he was to be arrested.

He was met by the police at Anhalter Bahnhof and arrested after his home and offices already been searched. Wert hauer was accused of being involved in Kutisker's business. His lawyer took a different view: the court assessor Kußman had "arrived at orders based on his nationalistic attitude", which could only be justified by his political views.

The "great theatrical pomp" ("Vossische Zei tung") was to have an aftermath, not only because Werthauer and his also

troffeneer Kompagnon filed criminal charges, but also because the Berlin

[4] "Berliner Tageblatt" of February 21, 1925 ("Die Tumultszenen im Landtag"). On his

The Marx government resigned on the same day.

[35] Schiff, Höfle-Tragödie (see note 28); Friedrich Karl Kaul: Freie Wahlen. The procedure

ren against the Reich Postal Minister Anton Hoefle January to April 1925, in: ders.

(ed.): The Pitaval of the Weimar Republic. Vol. 2: Verdienen wird groß geschrieben, Berlin (East) 1962, pp. 9-40.

[36] Dr. Kurt Rosenfeld to the Prussian Minister President, February 15, 1925, in:
GStA PK, I HA Rep 84a, no. *56556,* sheet 6.

The lawyer's office made representations to the Minister of Justice.[37] The highlight of Kußmann's escapades as a public prosecutor was a jaunt through half of Europe: a Berlin Mercedes agency provided a car for advertising purposes so that the public prosecutor could a picture of Barmat's operations in Prague, Vienna, Ljubljana, Zurich and Amsterdam, among other places - and all this, as it turned out afterwards, without "business trip approval", but once again under the pretext of "danger on the train".38

Such spectacular actions were controversial not only politically, but also within the public prosecutor's office, especially as suspicions grew that confidential information and documents from the public prosecutor's office itself had been passed on to an intelligence office financed by the DNVP.39 What is more, Kußmann in particular was accused of inciting people to steal documents from the Amsterdam embassy and the offices of the Ame xima.[40] As early as May 1925, the Attorney General at the Supreme Court of Prussia, the highest court in Prussia, took over the Barmat case in accordance with his legal powers; at the same time, the positions in the Berlin public prosecutor's office were reassigned. The contracts of the two public prosecutors only extended by one month11. It did not stop there. In the summer of 1925, the former *heroes* became defendants who had to justify themselves in disciplinary proceedings. House searches were carried out.[41] Was this measure not "Prussia's judicial scandal?" asked the "Deutsche Tage blatt". DNVP members, to whom documents had been leaked via a news bureau financed by them, went on the offensive in September with an open letter entitled "Wir klagen an" ("We accuse") and attempted to dissociate themselves from their fellow members.

[37] "Vossische Zeitung" No. 76 of February 14, 1925 t„Justizrat Dr. Werthauer freilas sen"): "B.Z. am Mittag" No. 44 of February 14, 1925 ("The Berlin Bar to the Minister of Justice").

[38] "Vorwärts" No. 142 of 25 March 1925 (...Kussmann on the road. A costly hunt auf Glück"); "Vorwärts" No. 152 of March 31, 1925 ("Public prosecutor Kußmann. Does the Ministry of Justice have nothing to explain?"). For Kußmann's justification, see statement. April 3, 1926, in: GSlA PK, l HA Rep 84a. No. 56542. BI. 146-1 9.

[39] "Bergisch-Märkische Zeitung" No. l80 of August 5, 1925 (.,\Vir klagen an."). In this **article**, the DNVP-Mit*e*olicder went on the offensive .g el ? cn the Prussian Politics.

[40] In mid-July 1925, the question arose as to whether Kußmann and a detective inspector friend of his were possibly not on a four-week sailing tour of the Baltic Sea, as he had hoped, but in Amsterdam to organize a burglary in the Amc xima; Polizeipräsident an den Oberstaatsanwalt 10 July 1925, in: GStA

PK, I HA Rep. 84a, No. 56543, BI. 186.

[41] State Secretary Frit1.c assumed for this. cf. presentation of the State<;c kretärs on August 23, 1928 on the article "Die Bannatfüiale im Ri.:chtsstaat"'.in: ..Dt-u1- sche Zeitung" No. 185b of August 8, 1928. p. 3 f., in: GStA PK. 1 1IA Rep. 8 a. No. 56597, BI. 239-240.

by attacking the alleged influence of politics on the judiciary.[42]

III Experiences of non-simultaneity

The juxtaposition of countless *revelations* in the press, the media hype provoked by the investigative committees, the high-profile staging of politicians and prosecutors and the flood of satirical images created a communication space of simultaneity. This communication space was real, namely mediated by actions and speech acts, and at the same time virtually mediated by images, rumors and a multitude of fleeting stories. No party, no newspaper and no person could afford not to react quickly to accusations and insinuations, whether with a lurid headline, with counter-accusations and counter-statements or with a no less provocative image. With all their polemics against the *Barmat swamp*, didn't the conservatives have enough garbage to clean up themselves? But above all: wasn't Julius Barmat cut from the same cloth as *the Mülheim businessman* stylized by the conservatives as a forward-looking economic leader, the industrialist Hugo Stinnes, who died in 1924 and whose company went bankrupt in the summer of 1925 with debts in the millions, which in this case even required the intervention of the Reichsbank due to the dangers for the entire economy? Before the collapse of the Stinnes Group, such parallels were a downright infamous insinuation in the eyes not only of the conservatives, but also of the nationalists, as Stinnes was the "ingenious creator of the great vertical economic structure". To compare him with the "Merchant of Berlin", the "German Shylock", was to blur the boundaries between "German labor" and "Jewish greed".[43]

[42] "Das Deutsche Tageblatt" No. 223 of September 23, 1925 ("Prussia's judicial scandal: the ordeal of a dutiful civil servant"); "Bergisch-Märkische Zeitung" No. 180 of August *5*, 1925 ("We "). The letter was accompanied by a statement from Bachmeister, Leopold and Comrades" is attached.

[43] Nathanael Jünger: Kaufmann von Mülheim. Ein Hugo-Stinnes-Roman, Wismar 1925; cf. below on later play by Walter Mehring: Der Kaufmann von Berlin (1929), in: Drei Jüdische Dramen. Mit Dokumenten zur Rezeption, edited by Hans-J. Weitz, Göttingen 1995. Alfred Rosenberg: Offener Brief an Frau Hugo Stinnes, in: Der Weltkampf. Halbmonatsschrift für die Judenfrage aller Länder 2 (1925), pp. 646-657. This battle over the interpretation of Stinnes runs through the entire debate, see also Geyer, Verkehrte Welt (see note 27), pp. 388-391. On the Stinnes bankruptcy, see Gerald D. Feldman: Hugo Stinnes. Biographie eines industriellen 1870-- 1924,

Munich 1998, pp. 936--945.

This media simultaneity not only generated an abundance of current news and images, but also a surplus of rumors, reports and stories. Reports and stories. The reference to recent history since the war, the Revo1ution and inflation, played a special role in this. Nothing was more divisive in the politics and society of the Weimar Republic than this omnipresent presence of memory, which wanted to be captured in words and stories. This was accompanied by a widespread feeling of not really living in the same present, but in a world of *simultaneity of the non-simultaneous.* In contemporary discourse, this cipher enjoyed a certain popularity because it referred to the social, political and cultural fragmentation and "crisis" of the present that was often discussed by contemporaries.[44] For *non-simultaneity* concerned not only the coexistence of generations, new and old wealth, but also the mixture of non-simultaneous political and social ideological currents, whose history and gradual transformation Karl Mannheim attempted to trace, with the claim (not necessarily fulfilled, at least from the historian's point of view) of showing how "thinking […] really functions in public life and in politics as an instrument of collective action".[45]

In view of the clash of seemingly irreconcilable ideological and ideological positions, it was more than just an academic question for contemporaries whether they were living in the same present. The denial of the present went hand in hand with a radical critique of the Republic. This can be seen in a very pronounced form among the communists. For the KPD, the history of the fratricidal struggles of the left that began during the world war described the boundaries that separated the party not only from the Social Democrats, but also from the

the recognition of the Republic. How did the cooperation come about of leading social democrats with Barmat? To answer this question, the Russian Karl Radek, Germany expert and member of the Committee, summarized in his brochure "Barmat and his friends" all the arguments with which the "Rote Fahne" bombarded its readership: this close cooperation had come about because the leadership of the SPD during the war

"went to Hindenburg". A party "that supports capitalism, that sets itself the task of rebuilding capitalism, must reach the capitalists" and inevitably represent the interests of the working class in the war.[46] Accordingly, the "capitalist cor-

[44] Geyer, Gleichzeitigkeit (see note 11); many of the contributions can also be read in this sense in: Moritz Föllmer/Rüdiger Graf

(eds.): Die "Krise" der Weimarer Repu blik. Zur **Kritik** eines Deutungsmusters, Frankfurt a. M./New York 2005.

[45] Karl Mannheim: Ideologie und Utopie, Frankfurt a. M. 1985 [first published in 1929], p. 3.

[46] Radek, Barmal-Sozialdemokratie (as note 24), pp. 30, 43. Cf. also Barmat und seine Partei (as note 24) and the concluding commentary by Bartei in Preußischer Unter-

rumpization" of social democracy and the Second International in general. According to Radek, just as the bourgeois parties were financed by different "capital factions", the Social Democrats also followed "the general rule": They became "barmatians". In Radek's opinion, this was not surprising, because "all the Jewish stockbrokers in the world who came from Poland were pro-German during the war", and so Barmat and others became, as he pointedly added, "exponents of the 'German idea'". The friendship of the German Social Democratic leaders with Julius Barmat and the many other male and female Barmats, whom the progenitor had gradually brought to Amsterdam from all parts of Poland, Lithuania and Volhynia, stemmed from the time of the war.[47]

Even though Radek, himself a Jew, was referring to the influx of Barmat's numerous family members - a topic that was widely discussed - the allusion was quite ambiguous. For it referred not only to Barmat as the epitome of the *Eastern Jew,* but also to a whole series of other Jewish speculators, whom Radek explicitly mentioned, in whose immediate and wider environment the Barmats had moved in Berlin since 1919/20. These included the brothers Georg and Heinrich Sklarz and the pre-war socialist theorist Alexander Helphand, known under the name Parvus, who, in cooperation with Georg Sklarz, had made large profits with import and export business during and after the war and also offered conservative social democrats a (well-paid) discussion forum with the magazine "Die Glocke". It was a well-known fact in the workers' movement that Georg Sklarz had provided financial and material support to the government troops, namely the "Reichstag" regiment, during the *Spartacus Uprising* in 1919 and had given Friedrich Ebert, who was fleeing Berlin, temporary accommodation in his apartment. Last but not least, the group around Sklarz was accused by the radical left of having offered a reward of 100,000 marks for the murder of Karl Liebknecht and Rosa Luxemburg.[48] Radek wisely concealed both Sklarz's work for the German secret service and his collaboration with the political strategist Helphand. During the war, Helphand had presented the Foreign Office with grandiose plans to revolutionize Russia and had helped arrange Lenin's journey from exile in Switzerland to his homeland. In the process, large sums of public money had been made available by the

(see note 7),
S. 2986-3004.

41 Radek, Barmat-Sozialdcmokratie (see note 24), pp. 9, 39, 43.

48 Richard Müller: The Civil War in Germany. Birth pangs of the Republic, Berlin 1925, p. 74f.

Helphand's hands. At least the outlines of this story were known after the war.[49]

For the left, the Barmat affair was part of a history of betrayal, even fratricide, which radically into question the status quo of the founding of the republic. This story had a counterpart in the ranks of the conservatives and certainly the radical and nationalist right. They addressed a different version of the loss of trust and betrayal: that of national betrayal, the sell-out of Germany or even a Jewish-socialist conspiracy. None of these arguments were really new. The campaigns surrounding the Magdeburg Trial at the end of 1924, which had focused on the alleged political treason of Ebert and social democracy, were particularly relevant. Nevertheless, it is striking that despite the attacks on *Eastern Jews,* the Reich President and individual SPD politicians, and despite the widespread demand the "impurities" of recent years be cleared up, the Conservatives' line of attack remained remarkably diffuse. Initially, they hardly went the electoral tactics of radicalism. Although one could get the impression that parts of the party hoped that the Barmat case would lead to the thematization of fundamental issues.

questions promised. The public prosecutor's office contributed significantly to this.

Their investigations were very comprehensive, and the public prosecutors were clearly interested in people, connections and topics that at first glance had nothing to do with the loan fraud at the state bank. Interestingly, it remained unspoken where the journey was to lead, even though the "Altpreußisches Wochenblatt", for example, demanded at the beginning of February that "the system" of the Weimar Republic should be investigated: There was talk of a "Bannaparvkutsklarz" affair, i.e. the interplay between Barmat, Parvus-Helphand, Kutisker and Sklarz.50 If such an expansion did not happen explicitly, it was probably because the public prosecutors knew very well that they were overstepping their authority with such an expansion. In fact, it was precisely this accusation that played an important role in their de facto suspension in May.5 t

[49] The revelations of Maximilian Barden were important in this respect: Gold oder Weihrauch, in: Die Zukunft 108 (1920), pp. 1-29; Radek, Barmat-Sozialdcmokratie (as note 24), pp. 32-37. However, there were also many stories and rumors circulating. On the enigmatic figure of Parvus, see Winfried B. Scharlau/Zbynek A. Zeman: Freibeu ter der Revolution: Parvus-Helphand. A Political Biography, Cologne 1964; Elisabeth
Heresch: Geheimakte Parvus: Die gekaufte Revolution, Munich 2000.

[50] "Altpreußisches Wochenblatt" No. 23 of February 4, 1925 ("Barmaparvkutsklarz").

[51] In the 43rd session of the Prussian Investigation Committee, State Secretary Fritze stated that Kußmann "was one of the younger officials who are no longer completely clear about the fact that the public prosecutor has to be at the service of the criminal proceedings and not the individual criminal proceedings at the service of the department head of the public prosecutor's office[...]". As a result, they ran the risk of "out of personal overzealousness - I don't want anyone to be too

Only afterwards, when the conservatives were also accused of working with illegal methods, did they go on the offensive. This included the aforementioned open letter and a series of articles entitled "Pictures from Prussian Justice" by DNVP politician Eduard Kenkel, which also appeared in the "Bergisch-Märki schen Zeitung" and at the same time in a whole series of other papers with close links to the DNVP.[52] Kenkel, the editor of the "Ostpreußische Zeitung", had been pursuing a hate campaign against the Republic and the Reich President for years. had already been prosecuted for libel at the beginning of 1920 because of his claim that the Reich President had helped himself "continuously and by the truckload" to food supplies for the government troops in 1919.[53]

While Radek and the "Red Flag" were primarily concerned with the corruption of social democracy by *capital interests* and its alliance with the old elites, the conservatives brought out the other big guns: It all about the "shackled judiciary". this was the eponymous title of Gottfried Zar now's bestseller from 1930, which took up these stories of the supposed influence of political interests on the judiciary (and which we will come back to later). The starting point of this convoluted judicial history, without which the events of 1924/25 would be incomprehensible, were investigations by the former Berlin public prosecutor Dr. Gutjahr against Georg and Heinrich Sklarz for *price gouging* during the revolutionary turmoil, in particular the Berlin *Spartacus Uprising.* The investigation prompted by a press campaign by Hermann Sonnenfeld, whose son had worked for Sklarz and fled to Holland with half a million marks. The case quickly spread, especially as Sonnenfeld made a sweeping attack on the "money-grabbing saviors of November 9. - including Philipp Scheidemann, Friedrich Ebert, Gustav Bauer and Gustav Noske - of collaborating with Sklarz to enrich themselves with scarce food.[54] But Philipp Scheidemann in particular became a target. His son-in-law was also

To use a sharp expression - to lose the clear view for an absolutely objective appreciation of the individual matters". Proceedings of the Prussian Parliament (see note 7). Printed matter no. 1185 (minutes of the 43rd session). S. 2502.

[52] Eduard Kenkel: Pictures from the Prussian Judiciary, Part 1, in: ,.Bergisch-Märkische Zei
tung" No. 216 of September 16, 1925; Part 11, in: ibid. No. 217 of September 17, 1925; Part Ill, in: ibid. No. 219 of September 19, 1925; Part IV. in: ibid. **No.** 222 of
September 23, 1925. One thing the author could not be accused of being ill-informed; all indications are that he had been given internal information from the files of the Prussian Ministry of

Justice.

[53] Niels H. M. Albrecht: The Power of a Smear Campaign. Anti-democratic Agitations of the Press and the Judiciary against the Weimar Republic and its First Reich President Friedrich Ebert from the "Badebild" to the Magdeburg Trial, Phil. Diss., Bremen 2002, p. 133.

[54] This part of the story is presented in detail in: ibid., pp. 133-150, quote S. 139.

involved in the affair as Sklarz's business partner; but Scheidemann's close contacts with Parvus-He)phand were even more controversial within the SPD. Even though a party committee of inquiry refuted the accusations made against Scheidemann, the politician's reputation within his own party was any case permanently damaged.

The accusation of enrichment collapsed as early as 1920, partly because it turned out that Sonnenfeld had operated with forged documents. But that was not the end of the matter. On the contrary. Whether with or without the knowledge of his superiors, the case offered Gutjahr "an incentive for his own investigation" (Kenkel)[55] , which dragged on until 1921. The indictment against Ge org Sklarz and his comrades was monstrous[56]: offenses against the Income Tax Act, price gouging, fraud, embezzlement, bribery of public officials, treason, usurpation of office, subornation of perjury, offenses against the Explosives Act, prisoner liberation. The revolutionary events of 1919 were to be tried. The anti-Bolshevik[57] Georg Sklarz was suspected of having committed *treason* intervening in the Berlin January riots. Leading figures of the SPD - Reich President Friedrich Ebert, Scheidemann, the former Berlin police commissioner Emil Eichhorn, the city commander of Berlin until the end of 1918 and co-chairman of the SPD Otto Wels, then Ulrich Rauscher and Undersecretary of State Curt Baake, who as head of the Reich Chancellery and press chief of the Reich government respectively were assigned to the Reich Chancellery and thus to Ebert, President Gustav Noske, the Prussian Minister of Culture Konrad Haenisch - were to testify as witnesses in the trial.

actually happened in the winter and spring of 1921 was and remained a politically controversial question until the end of the Weimar Republic, especially as history seemed to repeat itself in the summer of 1925 with the dismissal of the two public prosecutors.[58] Initially, the political opposition argued that there had been massive attempts to bribe Gutjahr with the aim of dropping the charges - none other than the First Public Prosecutor Robert Weis-

55 Kenkel, Bilder, part 11(see note 52).

56 The very extensive indictment under file number 67 J 3064/19 of May 5, 1921 can be found in: GSlA PK, I HA 84a, No. 56528.

57 Detective constable Ludwig Regemann stated in an interrogation that Sklarz had him that he, Sklarz, knew what it meant when Bolshevism ruled. He did not know that children in Germany were also beaten against the wall with their skulls and that anyone walking around with a stand-up collar would murdered in the street." The First Public Prosecutor at the Regional Court I in Berlin

[summary of the interrogation], 9. 12. 1919, in: GStA PK, **1** HA Rcp 84a, No. 56521. B1. 28Rs.

[58] Also for the following, cf. in addition to Kenkcl, Bilder, Part III (as note 52) the references to illustration in Gottfried Zarnow: Gefesselte Justiz. Politische Bilder aus Deutscher Gegenwart, vol. 1, Munich 1930, pp. 12-20.

man was targeted59- and that the Ministry of Justice, which had been informed of this, had left the public prosecutor "out in the cold". After Sk.larz had sued Gutjahr for defamation of character and breach of official duties and the
. According to conservative criticism, "Gutjahr had informed the Ministry of Justice about this" and politically motivated disciplinary proceedings had been initiated against him, which in this case also involved the accusation of passing on confidential information to the press. None of this prevented Gutjahr from completing the aforementioned comprehensive indictment, which was signed by his superior Lindow (who, as Attorney General in 1924/25, had initially given Caspary and Kußmann a great deal of freedom). The Prussian Minister of Justice instructed the highest court in **Prussia,** the K ergericht, examine the indictment. The officer responsible came to the conclusion that the indictment could not be upheld, so the controversial document disappeared from the files. Gutjahr, who was rehabilitated in the disciplinary proceedings, was sent to the Reich Court in Leipzig.

.offset60 '.>.-. -*t* :.' .-. '_.-._.: ... ,_\-; ,,-- .. --., -. :-..-.

. :-:-The story of the Sklarz case, according to the critics, experienced a new edition in 1925. And what was perhaps even more important: the swirling stories of *breach of trust* and *political betrayal* gradually came together. Kenkel made the first important contribution to this, which Zamow was then able to draw on a few years later. A narrative directed against the Republic was formed here. Both, the alleged *breach of trust* and the *betrayal,* i plicated a stubborn refusal of republican **contemporaneity** .... - . . :.. : -.

-From the outset, the Sklarz case had a decidedly anti-Semitic dimension. Under the pseudonym Sincton Upclair - a_balloonization of the name of the American writer Upton Sinclair - a pamphlet entitled "The Rat King and His Helpers: The Truth about the Sklarz Case" was published in 1920 and widely distributed. The title page that the
Rat King" about a "company of rats so intertwined and so entangled in their own filth and dirt in the nest that they can no longer be separated".61 Once again

59 The following sentence was put into his mouth: "Dear Gutjahr, what do you think if I [Weismann] were to say to Sklarz, give Gutjahr three million?"; cf.
Kenket, Bilder, part lII **(see** note 52). . .
For the introduction, see The Attorney General at the Court of Appeal to the Minister of Justice.
, - nister, August 12, 1921, in: GStA PK., I HA Rep 84a, No. 56521, BI. 346. what role
• : during the suppression, Sklarz's cooperation in the intelligence service of the deputy

- -It is not possible to say at this point what role the 'tendency of the Grand General Staff' played.

[61] Sincton Upclair. The rat king and his helpers. The truth about the Sklarz case, . Berlin 1920; cf. Maurer, Ostjuden (see note 26), pp. 140-144. , pamphlet was banned in the year of its publication, but its antiquarian availability today is a good indicator of how widely it was distributed.

the stereotypical story of the enrichment of the Jewish speculators who brought the revolution to Russia and who in 1919 brought republican entities to Russia. had financed. The path led from Walther Rathenau, the Organizer of the 'Jewish war profiteering'\ to Sklarz and from him to Baimat.[62] In this sense, as could be read in the "Wiener Morgenzeitung", "the Barmat affair [...] was the climax of the agitation against Rathenau".[63] Barmat, according to the rabid Württemberg anti-Semite Alfred Roth, was the new "rat king".[64] This fitted in with the circulating pest metaphors in the campaigns against *Osljuden.*[65] In radical right-wing circles, such arguments have been spun further. and the like. It should be borne in mind that the Völkisch were still remarkably uninformed in 1925.[66] All the reason for conspiracy fantasies to flourish on this ground. Once again, Bannat's confidant and neighbor Parvus-Helphand on Schwanenwerder. In an obituary in 1925, he was the "Chairman of the Nordic Central Committee for Bolshevik propaganda in Western Europe",[67] and the anti-Semitic magazine "Der Hammer" referred to a "protocol" which stated that leading Social Democrats had met with the "Bolsheviks".

crats would have met with Parvus in Schwanenwerder in 1919, where instead of the ---Socialization - the "confiscation of all property" through inflation.be -_s hloss n' been ei:-,,This satanic plan has succeeded. The Vo.lkmitsamt -- The princes were robbed of their cash. Only the money of the Jews was spared, because they dominate the international money market. .. Barmat and Co." not only as "the greatest victory of democracy" but also as the best proof of the authenticity of the "Protocols of the White House". . sen of Zion", which were quoted as follows: "To on the safe side, We will direct the election for president to those persons whose behavior . gange ei a pu1:1kt. known only to us, a ,Pan a-, These will be d_ndanr:igehors31?e executors of our commands, for- fear of revelation.

6 Otto Annin (Alfred Roth): From Rathenau to Bannat, Stuttgart 1925. In this pamphlet . let the author uses excerpts from his book: ders.: Juden in den Kriegs-Gesell schaften, Munich 1921; see Werner Jochrnann: Die Ausbreitung des Antisemitismus,

in: A Mosse (ed.): German Jewry in War and Revolution, Tübingen 1971, S. 409-510.

[63] Quoted in Rosenberg, Offener Brief (see note 43), p. 651.

[64] So the heading in Armin, Rathenau (see note 62), p. 62; **Reif,** Antisemitismus (see note 26), p. 406.

[65] Sarah Jansen: "Schädlinge": The History of a Scientific and Political Constructs 1840--1920, Frankfurt/New York 2003.

[66] A good example of this is the pamphlet by Hammer-Verlag: Der Bar- mat-Kutisker-Skandal und die jüdische Finanzherrschaft, Leipzig 1925, which can be found in the --- Essentially based on a meager evaluation of the literature.

[67] Der Weltkampf 2 (1925), pp. 89-91, here p. 91 ("Parvus-Helphand-Markus-Klein").

[68] **Markwart:** Die Hintermänner, in: Der Hammer. l.eitschrift für nationales Leben 25 (1926), pp. 406-407, quote p. 406f.

was guided by the natural desire to continue to enjoy the privileges, income and dignities associated with the presidential position[...]." With regard to the public prosecutor, they hastened to add that this was in no way intended to argue that Ebert "had a dark spot in his past before his election and was therefore committed to the Jewish parasites for better or worse [...]". With this legal reservation

-- could be insinuated all the more baselessly: "[...] the Kutiskers and Barmats have it

everywhere tries to create a 'Panama' in all leading personalities in order to keep them in their hands, [...] the Jewish }:'*thus* always in agreement with the Jewish instinct and its effects. "[69]

IV. Republican present: *sobriety*

In view of the emotions that the Barrnat and Kutisker cases aroused until the late summer of 1925, it is surprising how quickly the political dispute was settled, if not in the same year, then at least in the same year.
faded into the background. The media quickly turned to other topics.
What had begun as an attack on the social democratic political establishment, the role of the *Eastern Jews* and, last but not least, the system of the republic, changed until the verdict in the Bannat case was announced by the Berlin court.
Court of lay assessors 30. March i928 very largely in disinterest. In the case of
Bannat, the prison sentences and fines for all those involved, including the responsible Seehandlung officials, comparatively lenient. Penalties were only imposed for bribery in two cases, but not for fraud. In addition to a fine of RM 4,347.50, Julius Bannat was sentenced to eleven months in prison, of which 155 days were served in detention. This was far below the requests of the public prosecutor, who announced an appeal. However, in view of the length of the proceedings and Julius Bannat's state of health, part of his sentence suspended the following year.10 Ivan Kutisker had already punished much more severely in 1926 with five years in prison, loss of honor and a fine of three million marks. The seriously ill man did not survive the revision proceedings initiated by his defense lawyers. How, even the death of the

[69] Der Weltkampf 2 (1925), p. 193-204; here p; 193 ("Barmat und Co oder der größte Victory of democracy").

[70] Judgment of the Berlin-Mitte Court of Aldermen, Section 206, of March 30, 1928 in the criminal case against Barmat and comrades, Berlin 1929; for criticism of the amnesty, cf. "Neue Wiesbadener Zeitung" of August *25*, 1929 ("Die Justiz als Dime der Straf- justice").

: -Reichspostminister Anton Höfle_had Kutisker's death been the occasion for a Jus-
-- can be a scandal.71- .... .-
: _-:-_A- The curiosity of the i plizi ration of the Reichsprii
The Barmat case, which was so politically charged, turned into a self-presentation of the Republic and its judicial system. The tenor was that reason should prevail over the
• journalistic sensationalism and political emo
--7_2Despite the many obvious mistakes, serious violations of the law and the and mishandling of the case until the late start of the trial.
::- nchtverfahren three years_- after Barmat's arrest characterized:
er
This process is a late stage in the development of institutionally regulated and
-This included the establishment of the parliamentary procedure, the establishment of the parliamentary
• --,see committees of inquiry; which took up the cases. Like Thomas Mergel has vividly demonstrated, the parliamentary institutions have developed
- the Weimar Republic had its own political integration power.73 This
- In Prussia in particular, during the government crisis at the beginning of the year
-- but already in the closing statements in mid-October
In 1925, efforts to reach a compromise and appeasement were clearly evident.
-.-_and many of the arguments put forward there later appear in the
:,. Justification the judgment. The chairman of the DNVP, Count Westarp, had
-:-_: warned in February 1925 that "black sheep" could be found in all parties.
- 7 In fact, similar cases occurred throughout this year, in
Banks, industrial and agricultural companies meet their credit obligations.
. were no longer able to keep up: it was raining w chsel (see: Ab-
Figure 4). In addition, one could get the impression that many Conservatives were obviously uncomfortable with the fact that members of the Center Party and potential political allies were far more than Social Democrats.
• crats were so deeply involved in the scandal. As the "Weltbühne" not entirely wrongly opined: the involvement of the Center Party shows who in the Repu
.b. ik-,,d. -laden-sch.misf'? Looking back, there was talk of exaggerations

1
—;[-;:F r- e schwere Kritikgl -Ferdinand Nübell: Kutisker und die Ärzte, in: Die Welt
_—.-bühne 23/2 (1927), *pp.* 92-95; Der Fall Kutisker, in: Das Tagebuch,

1926, pp. 982- 987.

72- Siegfried Löwenstein: Reflections on the Bannat Trial, in: Deutsche Juristen-Zeitung 33 (1928). pp. 554-557; Deutsche Juristen-Zeitung 33 (1928), pp. 226, 570f.; for for a *republican* account, see Carl Severing: Mein Lebensweg, 2 vols, Cologne 1950, pp. 50-55; Erich Eyck: Geschichte der Weimarer Republik, 2 vols, Erlenbach 1956, vol. l, pp. 432-436; Steffani, Untersuchungsausschusse (see note 23).

73 Thomas Mergel: Parliamentary culture in the Weimar Republic. Political communication, symbolic politics and the public sphere, Düsseldorf 2002, esp. pp. 178-217.

74 ,.Berliner Tageblatt-- No. 38 of January 23, 1925 (,,Der Verlauf der Reichstagssitzung'').

75 Die Weltbühne 24 (1928), p. 533 ("Bannat verdict"). Another member of the Center Party, Hennann Lange-Hegennann, a member of the Reichstag, was a high Functionary in the Mercury Bank of the Barmat Concem.

and misjudgements that had resulted from the heat of the election campaign. After his death, Reich President Ebert was taken completely out of the line of fire with the argument of his former defenders, namely that he had had nothing to do with the granting of the loan and always kept his distance from Bannat.[76]

• The well-known Berlin lawyer Siegfried Löwenstein, who one of Barmat's defense lawyers, came to the conclusion in 1928 that the replacement of the two prosecutors was an attempt, albeit a belated one, to "make amends for the damage caused by excessive overzealousness". Instead of handing the case over to 'young, naive and overzealous department heads', it was now placed for further investigation 'in the hands of sensible prudent men'.[77] It may come as a surprise how willing to compromise DNVP MP Friedrich Deerberg showed in the Prussian parliament when he declared that no 'political influence' had been exerted on the public prosecutor's office in this matter.[78] He was not speaking for everyone in his party. The representative of the Communists, Wolfgang Barteis, sneered with regard to the German Nationals that the "result of this horse-trading committee" was comparable to the "Hornberg shooting"; "the only thing missing at the end is that we hold a general reconciliation ceremony in which Barmat could also take part".79

• More than anything else, the court case itself seemed like a Republican success story. After all, there had never been anything like it in German history: Five public prosecutors, 400 2.eugen and 50 ex perts were involved in the case. Mountains of files were produced. When the presiding judge fell seriously ill for a time, the case was closed so as not to lose any time.

his private bedroom into a makeshift courtroom until he could return to the proper courtroom.[80] Both the prosecution's indictment, printed on 648 folio pages, and the indictment, printed on 648 folio pages, were

[76] According to the DNVP deputy and DNVP spokesman Friedrich Deerberg; Verhandlun gen des Preußischen Landtags {as note 7), p. 2059. The former State Secretary August Müller later told an evening party on February 1, 1927, that Ban:nat is said to have telephoned abroad from the offices of the Reich President. After Ebert learned of this, he is said to have said: "If the Saujud comes again like that, I'll throw him out." Cf. Ernst Feder: Today I spoke with ... Tagebü cher eines Berliner Publizisten 1926-1932, ed. by Cccile Lowenthal-HenseVArnold Paucker, Stuttgart 1971, p. 102.

[77] Löwenstein, Betrachtungen (see note 72), p. 554.

[78] Verhandlungen des Preußischen Landtags (see note 7), p. 2964.

- Center Party attacked the two prosecutors quite vehemently, the spokesman for the German Democratic Party defended them and argued that they had never been planned.
- to discredit the republican system", and *that* Caspary was a republican and even had a socialist lawyer. (Ibid., p.3014).

[79] Verhandlungen des Preußischen Landtags (see note 7), p. 2986.
[80] Löwenstein, Betrachtungen (see note 72), p. 556.

and the judgment, which was also published, are historical monuments that are unparalleled in their almost impenetrable wealth of detail.[81] Observers emphasized that "the verbal duels between the defence lawyers and prosecutors were at times heated, and that there were 'fundamental differences of opinion regarding the factual and legal assessment of the case'",

but that the trial had been fought out fairly and "with chivalry"[82]. Justice had prevailed - "Praise to the judges" was the headline of the "Berliner BörsenwCourier", proudly quoted in the "Deutsche Richter Zeitung", which had been so polemically committed as late as 1925.[83]:

:'- The court focused only on thei area of the 1923/24 loans, rejected the

However, he rejects the opinion that only the arrest of Julius Bannat had the

caused the collapse of his company. Inthe opinion ofde.Br rüder Barmat

and its defenders, the Barinat Concem was the "victim of passionate political and anti-Semitic agitation". - With the arrest of Bannat, a Jewish industrial concern which, with a little good will on the part of the State Bank, would have been

could be saved. have been hunted down.[85] With a view to the bi

- On the other hand, there was no question that Julius Barmat had *speculated* in the truest sense of the word:--The calculation of buying up financially weak companies was a *mistake*.

Buying was extremely risky under the conditions of currency stabilization

-and in principle could only have worked out if the currency stabilization

would have failed in 1923. Apparently, the officials of the Staatsbank also initially assumed such a scenario, whereby, as one would say todayinternal *risk management* had failed miserably. Supposedly financially strong foreigners were not only reliable guarantors of economic consolidation in the eyes of the State Bank's officials, they were downright

- urri orben and in some cases also exploited. Sober observers of the economic context saw from the outset that the case was primarily

_- had economic and not political causes.[86] The charge of be-

[81] .. Indictment against Barmat and comrades. File no. 2. J. 25. 25 of the state prosecutor

. - waltschaft I Berlin, Berlin 1926, even if the trees here hardly show the

. Forest can be seen

[82] Ibid, p. *557.* _

[83] Bewer: Die Lehren des Barmat Prozesses - ein Lob der Richter, in: Deutsche Richter Zeitung 20 (1928), pp. 228-229.

[84] Judgment of the Court of Aldermen (see note 70), p. 40.

[85] Henri Baimat to the Prussian Ministry of Justice, Ministerialdirektor Huber, November 25
vember 1925, in: GStA PK. I HA Rep 84a,56544, BI. 102.

[86] Even in the "Altpreußisches Wochenblatt", which was extremely opposed to "13armatism" pole
mized, one could already read in February:
-- The Barmatkonzem seems to have fallen victim to the psychosis of tangible assets as a latecomer as the difficulties of merging unprofitable businesses underestimated. Cf. "Altpreußisches Wochenblatt" No. 23 of
February 4, 1925 ("And agriculture?").

-- Therefore, due to a lack of evidence, irugs, in accordance with the legal
• see principle *in dubio pro reo,* dropped. In contrast, Ivan Kutisker was cast in the role of the malicious and fraudulent speculator, not entirely without justification when one considers the details of the case.
. ::; With regard to the narratives of the Republic, the reasoning of the court is
. interesting in the Barmat case, which was taken up by almost all commentators
• rde-. The court pointed out that Barmat's business had been successful in a 2.
:.':- ten,-₀in which the general change in terminology and behavior caused by the war, revolution and inflation, which has also had an impact on business practices, has been
:: emotional confusion still continued". Fixed concepts of value would only have
• . have to emerge anew: The overestimation of tangible assets and the "numerical
The court took this into account. In 1928, things looked different than they had a few years earlier.[87] With the stabilization of the currency, the implicit statement was that even dubious inflationary blossoms like Barmat's and Kutisker's no longer had a chance: the path for the internal stabilization of the republic had been laid,

-V. Triumph of the non-simultaneous

-, 'one can therefore speak of an arrival of the *non-simultaneous* in the sober world'.
:-:-present the Republic? In fact, the judgment of the Berlin
•. The court of lay assessors had objections, but hardly any controversy. "It was a matter of
--_. of daily news urid comments. The memory of these recent
:. past history was rather untimely.
• :_,-:_The events were not forgotten, quite the opposite. An example of this
. is the play "The Merchant of Berlin. A historical play from
-German inflation" by Walter Mehring, which was published in September 1929 in a
. avant-garde stage adaptation by Erwin Piscator premiered in Berlin.
• _. erte-...;:nd was promptly a hit with the audience.88 There were various reasons for this,
---that it a "Barmat-Stilck without Barmat".[89] In fact, the story of Ivan Kutisker is traced in outline.
• in the play, however, not as a wealthy merchant, but as a man of all cli-

[87] Judgment of the Court of Aldermen (see note 70), p. 40f .
[88] Mehring, Kaufmann (see note 43), pp. 65-175; Hans-Peter

Bayerdörfer: Shylock in Berlin. Walter Mehring und das Judenporträt im Zeitstück der Weimarer Republik, in: Hans Otto Horch/Horst Denk1er (eds.): Conditio Judaica. Judaism, anti-Semitism ::: -.-', und deutschsprachige Literatur vom Ersten Welt.krieg bis 1933/1938, Tübingen 1993, _: ':- pp. 307-323; cf. also Martin H. Geyer: "Unpleasant play". Walter Mehring's "Kauf- -...- mann von Berlin", in: Martin Baumeister/Moritz Föllmer/Philipp Müller (eds.): Die • Art of History. Historiography, Aesthetics, Narrative, Göttingen 2009, pp. 307- ... 326.-

[89] Linkskurve, in: Mehring, Kaufmann (see note 43), p. 306.

Kaftan, a poor Yiddish-speaking Eastern Jew, comes to Germany to make his fortune here Dubious back-stabbers with reactionary political aims make use of his person, turn him into a bank director and use him to organize the arms trade for the planned coup, only for Kaftan to end up in the end when the masses rise up against him.

- Mehring was referring to the riots in Berlin's Scheunenviertel district at the end of 1923
- to be dropped. What was particularly problematic about the play was the exaggeration of the *1njlaJionsgewinn/er* as a poor Jew and a puppet. This confirmed those who were already certain that real history could also be reduced to conspiracies and *Jewish greed for profit;* above all, however, the play also showed that the audience could hardly be to empathize with the Jewish speculator, even when he was portrayed as a tragic victim like Kaftan. -. ---..-. – :-".. ;,. - ---- .-.. _,. -,.' ,..- -

-. This *aitstück* did not fit into the years of the late Weimar Republic. The Berlin Gauleiter Joseph Goebbeis probably saw it that way too; even during the Second World War, he commissioned the writer Hans Fallada to adapt the same material in a contemporary novel for anti-Semitic foreign propaganda.90 It is not without irony that Goebbels, the political profiteer of 1933, up residence in the VIilenkoionie in Schwanenwerder, where Julius Barmat and Parvus-Helphand had lived until the end of 1923. - --...- ; -,...--... . . . .

At first glance, the small-scale war waged by the unknown Berlin accountant Philipp Lachmann against Ivan K-tisker's lawyers was absurd and morbid. In 1925, the Berlin government had entrusted him with expert opinions. Johannes Werthauer, one of Berlin's best-known and best-paid lawyers, who incidentally also advised the Sklarz brothers," was, according to Lachmann's accusation, not only deeply involved in the scandal, but had also misadvised Ku tisker in his business dealings for his own interests, even misleading him. A conversation *with* the seriously ill Kutiske shortly before his death in the hospital was cited by Lachmann as evidence. In various submissions and open letters to the Prime Minister Otto Braun, Lachmann reopened old topics and attacked prominent politicians in a sweeping attack, including the man who had converted from Judaism to Catholicism.

and "gambler" State Secretary Weismann. the
he accused of p<:15sive bribery'.91 - "

90 Günter Casper: Der Kutisker-Roman, in: ders. (ed.): Fallada-Studien, Berlin/Weimar 1987, pp. 218-232; Cecilia v-00 Studnitz: Es war wie ein Rausch. Fallada and his life, Düsseldorf 1997, ch. 19.

[91] Open letter from Phi Hpp Lachmann to the Minister President, in: ,.Bergisch-Märkische 2.eitung" of 15 *May* 1927; cf. also ,.Das Deutsche Tageblatt-- No. 73 of March 27, 1927 ("Questions without answers"); "Völkischer Beobachter" No. 150 of May 30, 1931 ("Once again, the Weismann case: Mr. Weismann. how often must one

Lachmann saw himself as a victim. Because his expert opinion in the Kutisker case, which, in fact, at times sounds more like a criminological treatise with many I read speculations and insinuations on topics for which the auditor is not even responsible. was not responsible, was his undoing. Lachmann not only lost his a contract, but was also honored by the Berlin Industry and Trade Association. Chamber of Commerce by granting him his license as a sworn auditor was withdrawn.[92] This and a series of expensive lawsuits against Werthauer ruined Lachmann financially. Psychiatric reports confirm The court found him to be of limited sanity at best, and therefore of limited -form of social and psychological asynchronicity. This undermined the Credibility and respectability of the *modern Kohlhaas* - who is equally - Frederick the Great such as the brilliant speeches of Cicero and other Classic of republicanism against public corruption.9 It is not without a certain tragedy that this unknown auditor is a important link between the emotional debates in 1925 and the mobilization of the radical right against Kor- ruptior-iand democracy_was94 - tragic insofar as Lachmann, like Staats- lawyer Caspary, with whom he remained contact, was Jewish. After In 1933, he made the bitter experience that he was no longer just a troublemaker, but was now also classified as a Jew, so that his Jangen Eingaben disappeared *in* the registries as before.95 The topic had been on the agenda since the fall and winter of 1929/30, when the first clouds of the global economic crisis loomed, more relevant than ever before. Until far beyond In addition to Berlin, the so-called Sklarek scandal kept the public busy: Had the three *eastern Jewish* Sklarek brothers been social democratic Berlin grain

...accuse you of bribery until you sue? A letter to the Prime Minister Brown ').

92-Industrie nd Handelskan11 1er zu Berlin an den Preußischen Minister für Wirtschaft und Arbeit, January 24, 1933,in: GStA PK,I HA Rep84a, No. 56600, BI. 41-45;,Deut sehe Zeitung" No. 40b of February 17, 1927 ("Kutisker and the experts");

For a summarized presentation, see also the report of the counter-rapporteur in S-achen Justizrat Dr. Werthauer, rapporteur Member of Parliament Kuttner {SPD], November 29, 1932, in:GStA PK. I HA Rep. 84a,

No. 56566, BI. 25-47.

[93] "General-Anzeiger für Dortmund und das gesamte rheinisch-westflilische Industriege biet" No. 301 of October 31, 1932 ("The Michael Kohlhaas fight of the book revisors Lachmann against the State Secretary Dr. Weismann"). Lachmann compared Weisman with Gaius Verres in the Roman Republic, cf. letter from Lachmann to the Ministerpräsidenten, October 12, 1927, in: GStA PK, 1 HA Rep. 84a, No. 56597, B1.123-125.

[94] The accountant is referred to in Zarnow, Gefesselte Justiz, vol. 1 (see note 58), pp. 25-29.

[95] Probably the last submission is Philipp Lachmann to the Prussian Minister of the Interior. president, General Göring, April 20, 1934, in: GStA PK, I Ha Rep 84a, No. 56603, fol.10-24.

munal politicians, including the Lord Mayor Gustav Böß of the Democratic Party, bribed in order to obtain lucrative contracts for the procurement of official clothing? The story of the Barmat-Kutisker scandal seemed to be repeating itself according to an all too familiar script. For weeks, the fur coat given to the wife of the head bailiff, among other things, kept the public busy. Even if it was just one issue among others, it gave the National Socialist movement a boost in the local elections, and not just in Berlin. *The corruption of the republic* was the subject of a media-effectively staged political agitation by the Nazi movement.96 .

- What in 1925 was still a confused jumble of corruption and conspiracy stories had taken on a clear, albeit no less conspiratorial, form by 1930. The author Ewald Moritz, who published under the pseudonym Gottfried Zarnow, made an important contribution to this with the publication of the first volume of "Gefesselte Justiz. Political Images from the German Past". In the form of a documentary, the circulating stories surrounding the political right were condensed into a *grand na "ative* of the recent past: The New German */lias* began on the *Sybarite island of Schwanenwerder* with Parvus-Helphand, the Attorney General Weismann, the Sklarz brothers, led to the *red tribunes* around Julius Barmat and the fall and conviction of the *Bar mat prosecutors* and then to many other cases of a supposedly *flawed justice system.* A somewhat coherent history of corruption had developed from fragments. The same can be said with regard to individual persons who were targeted by the völkisch groups.97 The Munich-based Lehmann Verlag, which specialized in right-wing extremist literature, had launched a bestseller with Zarnow's book, which was elevated to the status of a "Kampfbuch der Bewegung" ("movement battle book") by the **NSDAP** immediately after its publication.98 This book played an important role in the election campaigns and in public agitation after 1930, whereby the anti-Semitic subtext of the agitation against the *shackled judiciary* in particular cannot be overlooked. Zarnow's writing and the agitation against *political corruption*, which was now in full swing, did not change anything.

96 Dagmar Reese: Scandal and Resentment: The Example of the Berlin Sklarek-Skan-

- dals, in: Rolf Ebbinghausen/Sighan Neckel (eds.): Anatomie des politischen Skan daJs, Frankfurt a. M. 1989, pp. 374-395: Malinowski, Politische Skandale (see note 8).

97 This also applies to Parvus-Helphand, for example. On the basis of the distorted depiction of life

The history of this enigmatic person can be traced from the supposed Jewish origins of the revolution in both Russia and

Germany to a *Jewish conspiracy* that led to German inflation. See, for example, the long article in: "Völkischer Beobachter" No. 216 of September 11, 1930 ("How to an S.P.D. workers' leader").

[98] Manfred Krohn: Die deutsche Justiz im Urteil der Nationalsozialisten 1920-1933. Frankfurt a.M. u.a. 1991, p. 215.

The unstable consensus of the earlier years was broken again. The NSDAP in particular demanded that the earlier cases be re. The demand by the chairman of the ReichsJandbund, Count Eberhard von Kalckreuth, aimed in the same direction and accompanied by sharp criticism of the Prussian judiciary and the Prussian state parliament, provoked Friedrich Deerberg's resignation from the DNVP, who had represented his party as spokesman in the Barmat Committee; the criticism of the Prussian judicial system in particular seemed to the President of the Senate,
who had received Zarnow's manuscript before it was published, was in no way acceptable.[99] Well-known jurists, such as the former President of the Reichsgericht Walter Simon, were more wavering and defended the German judiciary, but, in Simon's controversial words, the "facts [...] cannot be denied and call for a vigorous cure of the cancer [...]"[100] Even in the Prussian Ministry of Justice there was uncertainty as to how the book should be assessed.101

.' Even before *the* so-called Preußenschlag, the Prussian parliament set up a committee of inquiry in June 1932 at the request of the NSDAP parliamentary group to investigate Zarnow's accusations. The so-called Zarnow Committee, which met, albeit only sporadically, under the chairmanship of Roland Freisler (NSDAP), illustrates more than anything else how times had changed. It is true that this committee once again discussed matters of procedure and prepared reports and statements.[102] But orderly work was no longer conceivable. When the Social Democratic rapporteur Erich Kuttner, who already represented the SPD in the Barmal Committee, pointed out to the chairman at the beginning of February 1933 that he was making allegations that had already been found to be untrue several times before by legally binding court rulings, Freisler bombarded him with serious accusations and insults. Without allowing Kuttner to speak in reply, the session was broken off in view of the imminent closure of the Landtag anyway. This behavior by the chairman violated "the most elementary principles of law", complained the "Vossische Zeitung".[103]

[99] "Vossische Zeitung" No. 85 of February 19, 1931 ("Deerberg resigns from office. Konflikt um Moritz-Zarnow"); Krohn, Die deutsche Justiz (see note 98), p. 222.

[100] Quoted from Krohn, Die deutsche Justiz (see note 98), p. 223.

[101] The internal disputes cannot discussed here, see Der - Attorney General at the Regional Court I to the Prussian Minister of Justice, 15 January 1931, regarding: Publication of the book "Gefesselte Justiz" by Gottfried Zarnow, in: GStA PK, I HA Rep 84a, No. 55243.

[102] Cf. the documents in: GStA PK, I HA Rep 84a, No. 56566.
[103] "Vossische Zeitung" No. 64 of February 7, 1933 ("Kuttner defends himself against Freisler's excesses").

What happened in the Prussian parliament was quite symptomatic. For in 1933, the marginalization and eradication of alternative republican discourses began with all the force at its disposal. [104] It was the triumph of the conspiracy fantasies that Ernst Bloch described as the "mud volcanoes" of a "dark primitivization" of a completely non-simultaneous, even disparate insanity". [105] Legalistic objections could not impress the representatives of a party that had argued since the early 1920s that the *Jewish speculators* not be dealt with under the existing legal system. These were not just empty formulas, as the counter-draft of a law on the expropriation of the assets of bank and stock exchange partners and other national parasites presented by the NSDAP in 1926 in the context of the referendum against the expropriation of princes shows.[106] The "expropriation of the German people" by Jews like Barmat and Kutisker required extraordinary measures. In 1933, a major campaign began against all those who were involved in the case in any way, whether they ended up in concentration camps like Heilmann or Kuttner, or lost their citizenship and were expropriated like Werthauer, who had fled abroad, as early as August 1933. [107]

[104] With regard to other debates, see Geyer, Gleichzeitigkeit (see note 11). p. 186 f. [105] Ernst Bloch: Erbschaft dieser Zeit Erweiterte Ausgabe, Frankfurt a.M. 1962, p. 115.

[106] See the special issue of the Völkischer Beobachter "Was dem deutschen Volk gestohlen wurde", issue 127a of June 8, 1926; see also Ukich Schüren: Der Volksentscheid zur Fürstenenteignung 1926, Düsseldorf 1978, pp. 154--177; on the decisions on law and popular law in this period, see also Martin H. Geyer: Recht. Justice and laws. Reichsgerichtsrat Zeiler and the legal history, in: Zeitschrift für Modern Legal History 16 (1994),

107 Illustrierter Beobachter,.,1933, p. 1176 (,,V_ olksverräter ausgestoßen aus der deutschen nationalen